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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,357	02/19/2004	Norman Herron	UC0409USNA	4173
23906 7590 12/06/2010 E I DU PONT DE NEMOURS AND COMPANY LEGAL PATENT RECORDS CENTER BARLEY MILL PLAZA 25/1122B 4417 LANCASTER PIKE WILMINGTON, DE 19805				
EXAMINER THOMPSON, CAMIE S				
ART UNIT		PAPER NUMBER		
1786				
NOTIFICATION DATE		DELIVERY MODE		
12/06/2010		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTO-Legal.PRC@usa.dupont.com

Office Action Summary

Application No.

10/782,357

Applicant(s)

HERRON ET AL.

Examiner

Camie S. Thompson

Art Unit

1786

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed 9/27/2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8 and 24 is/are allowed.
- 6) ☒ Claim(s) 9, 13, 14 and 17-20 is/are rejected.
- 7) ☒ Claim(s) 10-11, 15-16, 21-23 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-940)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/29/2010
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's amendment and accompanying remarks filed September 29, 2010 are acknowledged.
2. Examiner acknowledges amended claims 9, 17 and 20.

Claim Rejections - 35 USC § 102

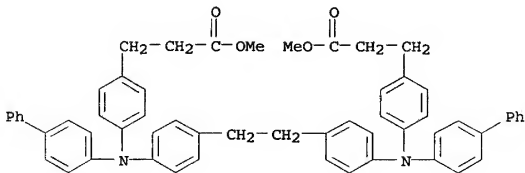
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 9, 13-14 and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Nukada et al., JP 2000-143786.

Nukada discloses polyester structures that are formed by reacting the following structure

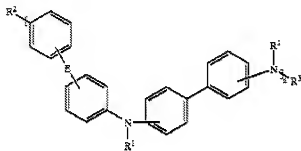


with diol components (see entire document and STN search). The above structure reads on the present claims when R₂ is phenyl; E is (CR₃R₆)_m with R₃ and R₆ both being hydrogen and m

being 2 and R^1 is an aryl group (which can be a substituted aryl group). The present claims do not provide a proviso for $m=2$.

Allowable Subject Matter

5. Claims 1-8 and 24 are allowed. Applicant claims a compound having formula I,



as defined in claim 1. The closest prior art,

Richter et al., U.S. Pre Grant Publication 2005/0067951, discloses triarylamines used in electronic devices. Richter fails to teach the triarylamine of formula I of present claim 1.

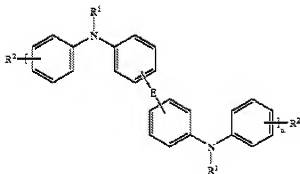
Applicant claims process for producing a polymer of instant formulae (I) and (II). The closest prior art, Tokoli et al., U.S. Patent Number 4,665,000; Richter et al., U.S. Pre Grant Publication 2005/0067951 and Nukada et al., JP 2000-143786, disclose triarylamines used in electronic devices. None of Tokoli, Richter or Nukada discloses a process of producing a polymer by reacting two or more of compounds having the general formulae of (I) or (II) in the presence of copper, nickel or palladium catalyst at a temperature of 22 deg C to 150 deg C for 24 to 92 hours to form a first polymer; treating the polymer with an endcapping group and further reacting the capped polymer for 24 to 48 hours.

6. Claims 10-11, 15-16, 21-23 and 25 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of

the base claim and any intervening claims. Applicant claims a compound of structure III, further including substituents as required by present claims 10-11 and 15-16. Also, applicant claims an electronic device comprising a compound of structure II. The closest prior art, Nukada et al., JP 2000-143786 teaches the generic compound of structure II; however, Nukada does not provide for an electronic device comprising structure II or the substituents for structure II as required by present claims 10-11 and 15-16.

Response to Arguments

Applicant's arguments filed September 29, 2010 have been fully considered but they are not persuasive. Applicant has amended claims 9, 17 and 20. Newly amended claims 9, 17 and 20 include the substituent hydrogen on one or more aromatic rings in the compound of formula (III). Present claims 9 and 20 recite the compound

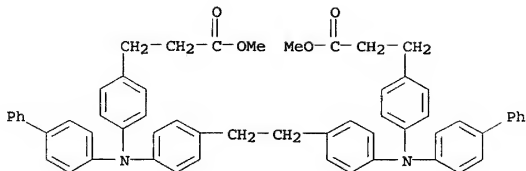


7.

with E being $(CR^5R^6)_m$ with R⁵ and R⁶

being hydrogen when m is 2.

Nukada discloses the
compound



. The compound of Nukada reads on present claim 9 when R₂ is phenyl; E is (CR₅R₆)_m with R₅ and R₆ both being hydrogen and m being 2 and R¹ is an aryl group (which can be a substituted aryl group). Additionally, the Nukada reference reads on amended claim 9 when hydrogen is a substituent on any one or more aromatic rings in the formula III. The rejection is maintained.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Camie S. Thompson whose telephone number is 571-272-1530. The examiner can normally be reached on Monday-Friday 8:00 am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Lawrence Tarazano can be reached on 571-272-1515. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Camie S Thompson/

Examiner, Art Unit 1786

/D. Lawrence Tarazano/

Supervisory Patent Examiner, Art Unit 1786